

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,
v.
JORGE RUBIO MONTERO,
Defendant.

NO. CR-06-2121-RHW-6

**ORDER GRANTING
DEFENDANT'S MOTION TO
WITHDRAW PLEA**

At a hearing on February 2, 2011, the Court granted Defendant's Motion to Withdraw Plea of Guilty (Ct. Recs. 979 and 999). This order memorializes that oral ruling.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's Motion to Withdraw Plea of Guilty (Ct. Recs. 979 and 999) is **GRANTED**.

2. Defendant's Motion to Continue Sentencing (Ct. Rec. 996) is **DENIED as moot**.

3. A jury trial is **set** for **May 9, 2011**, in Yakima, Washington. Counsel shall appear at 8:30 a.m. the first day of trial; jury selection shall begin at 9:00 a.m.

4. A pretrial conference is **set** for **April 19, 2011, at 11:00 a.m.** in Yakima, Washington.

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IT IS SO ORDERED. The District Court Executive is directed to enter this **ORDER GRANTING DEFENDANT'S MOTION TO WITHDRAW PLEA***1

1 Order and to provide copies to counsel and U.S. Probation Office.

2 **DATED** this 4th day of February, 2011.

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4 *s/Robert H. Whaley*
5 **ROBERT H. WHALEY**
6 United States District Judge
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